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E-FILED - 11/17/09

Attorney for Defendant, SHENG QIANG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. 5:09-cr-00720-RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	AND ORDER
vs.)	
)	
SHENG QIANG,)	
)	Judge: The Honorable Ronald M. Whyte
Defendant.)	
)	
)	

IT IS HEREBY STIPULATED by and between counsel that there exists good cause to continue the November 2, 2009 Status Conference at 9:00 a.m. previously set forth in the matter of BECKY QIANG to December 7, 2009 at 9:00 a.m. for Status Conference. Defense counsel initially received an unreadable discovery disc for the above referenced matter. Defense counsel notified the U.S. Attorney of the problem and returned the unreadable disc to the U.S. Attorney's office. Defense counsel has not yet received a replacement discovery disc.

The parties agree that the time between November 2, 2009 to December 7, 2009 shall be excluded from the Speedy Trial Act requirements of Title 18, United States Code, § 3161 pursuant to Title 18, United States Code § 3161(h)(8)(A) and §3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public.

Therefore, it is respectfully requested that the previously set Status Conference of November 2, 2009 be vacated and a Status Conference be set for December 7, 2009 at 9:00 a.m.

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1 THE PARTIES SO STIPULATE.

2 Dated: October 28, 2009

UNITED STATES ATTORNEY

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4 /S/

RICHARD C. CHENG, A. U.S.A.

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6 Dated: October 28, 2009

LAW OFFICES OF PAUL B. MELTZER

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9 PAUL B. MELTZER, Attorney for
10 Defendant, SHENG QIANG.
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XXXXXXX ORDER

Good cause shown, therefore, IT IS HEREBY ORDERED that the November 2, 2009 Status Conference at 9:00 a.m. previously set forth in the matter of SHENG QIANG is continued to December 7, 2009 at 9:00 a.m. for Status Conference.

SO ORDERED.

Dated: XXXX^{11/17}_____, 2009



HON. RONALD M. WHITE, DISTRICT JUDGE
UNITED STATES DISTRICT COURT